

NOTE: This order is nonprecedential.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

2010-1237
(Serial No. 09/677,401)

OFFICE OF THE
GENERAL COUNSEL
2010 OCT 20 PM 2:32
U.S. PATENT
AND
TRADEMARK OFFICE

IN RE K. JON KERN, JOSEPH BIRD, and BROOKE HARTMAN

Appeal from the United States Patent and Trademark Office, Board of
Patent Appeals and Interferences.

RECEIVED

ORDER

OCT 18 2010

United States Court of Appeals
For The Federal Circuit

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UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

ORDER

The appellant having failed to file the brief required by Federal Circuit Rule 31(a) within the time permitted by the rules, it is

ORDERED that the notice of appeal be, and the same hereby is, DISMISSED, for failure to prosecute in accordance with the rules.

FOR THE COURT,



Jan Horbaly
Clerk

10/04/10

cc: Clerk's Office, PTO
Reed R. Heimbecher
Raymond T. Chen

ISSUED AS A MANDATE: 10/04/10

IN RE KERN, 2010-1237
PTO - 09/677,401

FILED
U.S. COURT OF APPEALS
FOR THE FEDERAL CIRCUIT

OCT 04 2010

JAN HORBALY
CLERK

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I HEREBY CERTIFY THIS DOCUMENT
IS A TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE.

UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT

By:  Date: 10/4/10